REMARKS

Claims 15, 19, 21-27, and 35-39 are pending. Applicant has amended claims 15 and 35.

The Examiner has rejected claims 15, 19, 21-27, and 35-39 under 35 U.S.C. § 103(a) as being unpatentable over Walker and Garland. Applicant respectfully traverses this rejection.

Applicant's computer-based technique allows nodes of a network graph to be magnified when a mouse pointer points to a node or a predefined region. When applicant's technique detects such pointing by the mouse pointer, it determines whether the node is displayed with a scaling factor that is below a threshold. The threshold may be set to indicate the smallest scaling factor at which text of the node is comprehensible to a user. Thus, when the text of the node is not comprehensible, the node is magnified so that it is comprehensible.

The Examiner recognizes that Walker does not teach "determining whether node data is displayed with a scaling percentage that is below a threshold, when it is determined that the node data is displayed with a scaling percentage that is below the threshold, displaying one or more of the nodes at an increased magnification level relative to other nodes in the network diagram." (Office Action, July 24, 2007, p. 3.) To cure this deficiency, the Examiner points to Garland at Figure 6, 8:4-17, and 9:53-10:15.

The Examiner takes the position that Garland's user can watch the gradual enlargement of the menu entry and then not issue the "Stop" command when the menu entry is not large enough. (Advisory Action, Oct. 11, 2007.) According to the Examiner, the user effectively determines whether the menu entry "is displayed as a scaling percentage that is below a threshold" and then by not issuing the "Stop" command displays the menu entry "at an increased magnification" as recited by the claims.

The Examiner is thus relying on what the user might be thinking as corresponding to "determining whether node data is displayed with a scaling percentage that is below a threshold" as recited by unamended claim 1. The Examiner believes that a user must be "thinking" that the "scaling percentage is below a threshold." Garland, however, only describes that a user can issue the "Stop" command when "the enlargement is within a stopping time window defined by a range of larger sizes preferred by the operator." Garland says nothing about what a user may be thinking before a "Stop" command is issued and the Examiner has provided no evidence of what any user was thinking.

With respect to claims 24-27 and 35-39, they recite either a computer graphics system with means for such determining or instructions stored on a computer-readable storage medium for such determining. Garland does not describe a "computer graphics system" that performs such determining or "instructions stored" for performing such determining.

Moreover, claims 35-39 now recite "determining whether the displayed node that the mouse pointer is hovering over is displayed with an original scaling factor that is less than a threshold scaling factor." Garland simply starts enlarging a menu entry when an operator selects the menu entry. (Garland, 9:30-33). Garland makes no determination relating whether "an original scaling factor is less than a threshold scaling factor," as recited by these claims.

With respect to claims 15, 19, and 21-23, applicant has amended these claims to explicitly recite that the method is "performed by a computer system." Garland does not describe a method "performed by a computer system" that includes such a step of "determining." In addition, these claims now recite "storing in memory of the computer system a threshold for a scaling percentage" and "determining whether node data is displayed with a scaling percentage that is below the stored threshold for the scaling percentage." A user who is thinking does not store anything in memory of a computer system.

Based upon the above amendments and remarks, applicant respectfully requests reconsideration of this application and its early allowance. If the Examiner has any questions or believes a telephone conference would expedite prosecution of this application, the Examiner is encouraged to call the undersigned at (206) 359-8548.

Applicant believes the required fee is being paid with this response. However, if any additional fee is due, please charge our Deposit Account No. 50-0665, under Order No. 418268823US1 from which the undersigned is authorized to draw.

Dated: 10/24/07

Respectfully submitted,

By Maurice J. Pirio
Registration No.: 33,273
PERKINS COIE LLP
P.O. Box 1247
Seattle, Washington 98111-1247
(206) 359-8000
(206) 359-7198 (Fax)
Attorney for Applicant